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JOHNS MANVILLE
LEGAL DEPARTMENT
10100 WEST UTE AVENUE
LITTLETON, CO 80127

In re Application of
James P. Hamilton, et al.
Application No. 10/613,939
Filed: July 7, 2003
Attorney Docket No. 7127

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OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.313(c)(2), filed July 6, 2005 to withdraw the above-identified application from issue after payment of the issue fee.

It does not appear that the petition is signed by an attorney of record. However, in accordance with 37 CFR 1.34(a), the signature of Melissa M. Hayworth appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that she is authorized to represent the particular party on whose behalf she acts. However, if Ms. Hayworth desires to receive correspondence regarding this file, the appropriate power of attorney documentation must be submitted. A courtesy copy of this decision is being mailed to Ms. Hayworth, the petitioner herein. However, until otherwise instructed, all future correspondence regarding this application file will be directed solely to the above-noted correspondence address of record.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on June 3, 2005 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.*¹

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

¹The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

The application is being referred to Technology Center AU 1755 for further processing of the request for continued examination under 37 CFR 1.114 filed July 6, 2005.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: MELISSA M. HAYWORTH
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
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Date : July 6, 2005
TO : Director, Office of Patent Publication
FROM : Office of the Deputy Commissioner
for Patent Examination Policy
SUBJECT : Withdrawal from Issue of

Applicant(s) : James P. Hamilton, et al.
Application No. : 10/613,939
Filed : July 7, 2003

The above-identified application has been assigned Patent No. 6,919,285 and an issue date of July 19, 2005.

It is hereby directed that this application be withdrawn from issue at the request of the applicant.

Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of July 19, 2005:

"All reference to Patent No. 6,919,285 to JAMES P. HAMILTON, ET AL. of COLORADO for LOW BORON E-GLASS COMPOSITION appearing in the Official Gazette of July 19, 2005, should be deleted since no patent was granted."

Sherry D. Brinkley
Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy

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